

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PITTSBURG SNF LLC, et al.,

*Plaintiffs,*

V.

## PHARMERICA EAST, INC.,

Case No. 2:10-CV-363-JRG-RSP

*Defendant and Third-Party Plaintiff,*

V.

PHARMMASTER, L.P., et al.,

### *Third-Party Defendants.*

## **ORDER**

Currently before the Court is the Report and Recommendation filed by the Magistrate Judge on July 11, 2012 (Dkt. No. 157) recommending that Third Party Defendants' Motion to Dismiss Third Party Complaint (Dkt. No. 67, filed November 23, 2011) be DENIED. Having considered the entire record, including Third Party Defendants' Objections (Dkt. No. 167, filed July 25, 2012), and Defendant and Third Party Plaintiff's Opposition to Third Party Defendants' Objections (Dkt. No. 180, filed August 20, 2012), and finding the objections to lack sufficient merit, the Recommendation is adopted. Accordingly,

IT IS ORDERED that Third Party Defendants' Motion to Dismiss Third Party Complaint (Dkt. No. 67) is DENIED for the reasons set forth in the Court's Report and Recommendation.

**So ORDERED and SIGNED this 28th day of September, 2012.**

  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE